

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PAUL M. STELMACHERS, individually
and on behalf of a class of similarly-situated
persons,

Plaintiff,

v.

VERIFONE SYSTEMS, INC.,

Defendant.

Case No. [5:14-cv-04912-EJD](#)

ORDER RE: MOTION TO DISMISS

Re: Dkt. No. 36

In Spokeo, Inc. v. Robins, 136 S. Ct. 1540 (2016), the United States Supreme Court recently clarified that a plaintiff must clearly allege facts in the complaint that satisfy each element of Article III standing, including facts establishing that the plaintiff suffered a “concrete” injury.

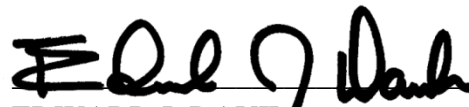
Because the court believes that Spokeo may have some application to Plaintiff Paul M. Stelmachers’ (“Plaintiff”) amended complaint, the court orders as follows:

1. On or before **4:00 p.m. on June 17, 2016**, the parties shall each file a supplemental brief addressing whether and, if so, how the Court’s opinion in Spokeo applies to the factual allegations contained in Plaintiff’s amended complaint. Each supplemental brief shall not exceed five pages in length. No responsive briefs will be permitted, and none should be filed.

2. The hearing on the motion to dismiss scheduled June 9, 2016, is VACATED and will be reset, if necessary, upon receipt of the supplemental briefs ordered herein.

IT IS SO ORDERED.

Dated: June 3, 2016



EDWARD J. DAVILA
United States District Judge